

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

NORWOOD WYATT,
Plaintiff,

V.

FIRST CORRECTIONAL MEDICAL and
DR. SITTA GOMBEH ALI,
Defendants.

)
)
)
) Civil Action No.: 05-655-KAJ
)
)
)

MOTION FOR APPOINTMENT OF COUNSEL



COMES NOW, Norwood Wyatt, Plaintiff, pro se, and moves this Honorable Court for the appointment of counsel, to represent him in the above captioned pursuant to 28 U.S.C., Section 1914(d). In support of this motion, Plaintiff submits the following:

1. Plaintiff is a layperson in civil litigation, lacking basic education, up to and beyond a high school diploma or G.E.D., therefore, rendering him wholly unable to effectively and sufficiently represent himself beyond these proceedings.

2. Plaintiff is indigent and cannot afford to retain the services of competent and experienced private counsel.

3. Plaintiff has attempted to obtain counsel on a pro bono basis, however, it has been to no avail, as lawyers in Delaware and Pennsylvania have repeatedly turned him down throughout his 18-month search, except one.

4. Kenneth William Richmond, Esquire, of RICHMOND AND HEVENOR law offices, has agreed to represent Plaintiff as pro hac vice counsel. (See attached).

WHEREFORE, Plaintiff prays that this Honorable Court will grant his request for appointment of counsel and preferrably, that such counsel be Mr. Kenneth William Richmond, Esquire.

Respectfully submitted,

April 9th 2006
DATED

Norwood Wyatt
NORWOOD WYATT, Plaintiff, Pro Se
167137, S-1
Delaware Correctional Center
1181 Paddock Road
Smyrna, Delaware 19977

RICHMOND & HEVENOR

Attorneys at Law
2019 Walnut Street
Philadelphia, Pa. 19103

215-523-9200
(fax) 215-523-9214
e-mail: richmond-hevenor@comcast.net
kennyrichmond@comcast.net

Kenneth William Richmond, Esq.
E. William Hevenor, Esq.

New Jersey Offices
Suite 333
1060 N. Kings. Hgwy.
Cherry Hill, NJ 08034
(609)667-7883
Fax (609)667-3477

March 9, 2006

Mr. Norwood Wyatt,
#167137
Delaware Correctional Center
1181 Paddock Road, Smyrna, DE 19977

Re: Wyatt v. First Correctional Medical
DDC # 105CV655KAJ

Dear Mr. Wyatt,

We have carefully reviewed your complaint and the material documenting your bladder stone and the September 8, 2005 the Cystolitholpaxy and TURP procedure and your ample documentation for the 14 months of extreme discomfort and the required grievances. Unfortunately, I cannot represent you unless the Federal District Court appoints me. To explain, at the moment I have three death cases against FCM and the State of Delaware. One is in suit, another will be by May 4th and a third will be filed shortly thereafter. In addition, I have another, non death case involving under-treatment of hepatitis. As an out of state attorney, I must proceed as "pro hac vice" counsel, which means "for this case only". Should I take on any more Delaware cases, I would have to be admitted to the Delaware Bar.

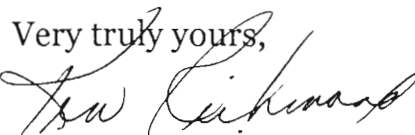
You will have one further hurdle to cover to keep your claim in the federal court on eighth amendment grounds – showing willful, knowing neglect of your condition by employees of FCM, and this will require a medical opinion by an expert in Correctional Medical Care. Secondly,

Norwood Wyatt
3/9/06; page 2

Dr. Sun will also have to testify that in his opinion, the failure to make a referral and authorize the required procedure represents a departure from the standard of care for a medical provider.

If Judge Jordan permits you to proceed and appoints counsel, I'll be happy to accept the appointment, and you have my permission to indicate this if the occasion arises. There is one other possibility, a class action which is under contemplation, but so far we have an insufficient number of claims.

I want to assure you that you have my personal sympathy. I'm returning your copies because you may need them in another context. If the court permits it, I will welcome the opportunity to revisit your claim.

Very truly yours,

Kenneth W. Richmond

KWR/ec
enclosure: File

IM Norwood Wyatt
SBI# 00167137 UNIT 3-1-17

DELAWARE CORRECTIONAL CENTER

1181 PADDOCK ROAD

SMYRNA, DELAWARE 19977

U.S.M.S.
X-RAY

Office of the Clerk

U.S. DISTRICT COURT

844 N. King Street Lock Box 18

Wilmington Delaware

19801